

C.A.No. 7358 OF 2000

ITEM No.35

Court No. 3

SECTION XV
A/N MATTER

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal.No.7358/2000

RAJASTHAN STATE BRIDGE CONS. CORPN. LTD.

Appellant (s)

VERSUS

HANUMAN SAHAI SHARMA & ANR.

Respondent (s)

(prayer for interim relief and office report and I.A. No. 3 for
amendment of cause title)

Date : 03/04/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. KIRPAL
HON'BLE MRS. JUSTICE RUMA PAL

For Appellant (s) Ms. Shobha, Adv. for
M/s K.L. Mehta & Co.,Adv.

For Respondent (s)
Ms. Kamini Jaiswal,Adv.
Ms. S Bakshi, Adv.

Mr. A P Dhamija, Adv. for
Mr. Sushil Kumar Jain,Adv.

UPON hearing counsel the Court made the following
O R D E R

.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J.R

I.A. No. 3 for amendment of cause title is allowed.

The appeal is disposed of in terms of the signed
order.

(D.P. WALIA)
Court Master

(R.K. SONEJA)
Court Master

(Signed Order is placed on the file)

.PA
.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J.R
.PL60

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 7358 OF 2000@@
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC

Rajasthan State Bridge Cons. Corpn. Ltd. ..Appellant(s)

vs.

Hanuman Sahai Sharma & Anr. ..Respondent(s)

O R D E R@@
CCCCCCCC

.SP2

After hearing the learned counsel for the parties, we are of the opinion that the interim order which was passed by the Single Judge and upheld by the Divison Bench, was not entirely correct. Either the Single Judge should have declined to grant stay or if stay was granted an order could have been passed in terms of Section 17-B of the Industrial Disputes Act. It could not have been directed that if the Labour Court's order is not complied with, then the petition will stand automatically dismissed.

We, accordingly, set aside the later part of the order of the Single Judge and remand the case back to the Single Judge who will decide the stay application on merits. We further request the High Court to dispose of the main writ petition within six months.

The appeal is disposed of in the aforesaid terms.

.SP1

.....J.
(B.N. KIRPAL)

New Delhi;
April 3, 2001.

.....J.
(RUMA PAL)